

reserve prunes by size in each category; and (2) the handler's estimate of the tonnage of prunes held by producers and dehydrators from whom the handler received prunes during the current or preceding crop year, of the tonnage and quality and size of prunes expected to be produced by such producers and dehydrators during the current or following crop year, of current prices being received by producers, dehydrators, and handlers, and of the probable trade demand.

[30 FR 13311, Oct. 20, 1965, as amended at 35 FR 11381, July 16, 1970; 37 FR 15981, Aug. 9, 1972; 48 FR 57261, Dec. 29, 1983]

EFFECTIVE DATE NOTE: At 68 FR 40757, July 9, 2003, in §993.173 the words "itemized as to salable and reserve prunes by category" in paragraph (a)(6) and the words "and the tonnage of reserve prunes by size in each category;" in paragraph (c)(1) were suspended effective August 1, 2003 through July 31, 2008.

§ 993.174 Records.

Each handler shall maintain such records as are necessary to furnish the reports required to be submitted to the Committee by him under this subpart including, but not limited to, records of all transactions on prunes received, held and disposed of by him, and he shall retain such records for at least two years after the end of the crop year in which the applicable transaction occurred.

[26 FR 8281, Sept. 2, 1961; 26 FR 8483, Sept. 9, 1961. Redesignated at 30 FR 13312, Oct. 20, 1965]

EDITORIAL NOTE: After January 1, 1979, "Budget of Expenses and Rate of Assessment" regulations (e.g., sections .300 through .399) and "Marketing percentage" regulations (e.g., sections .200 through .299) which are in effect for a year or less, will not be carried in the Code of Federal Regulations. For FEDERAL REGISTER citations affecting these regulations, see the List of CFR Sections Affected, which appears in the Finding Aids section of the printed volume and on GPO Access.

Subpart—Assessment Rates

§ 993.347 Assessment rate.

On and after August 1, 2003, an assessment rate of \$2.00 per ton is established for California dried prunes.

[68 FR 46439, Aug. 6, 2003]

Subpart—Undersized Prune Regulation

§ 993.400 Modifications.

Pursuant to the authority in §993.52, the provisions in §993.49(c) prescribing size openings for undersized prune regulations are hereby modified to permit larger size openings. For French prunes, any undersized regulation may prescribe an opening of $\frac{23}{32}$ of an inch or $\frac{24}{32}$ of an inch; for non-French prunes, any undersized regulation may prescribe an opening of $\frac{28}{32}$ of an inch or $\frac{30}{32}$ of an inch.

[40 FR 42531, Sept. 15, 1975]

§ 993.409 Undersized prune regulation for the 2002–03 crop year.

Pursuant to §§993.49(c) and 993.52, an undersized prune regulation for the 2002–03 crop year is hereby established. Undersized prunes are prunes which pass through openings as follows: for French prunes, $\frac{24}{32}$ of an inch in diameter; for non-French prunes, $\frac{30}{32}$ of an inch in diameter.

[67 FR 31722, May 10, 2002]

Subpart—Pack Specification as to Size

SOURCE: 26 FR 8281, Sept. 2, 1961, unless otherwise noted.

DEFINITIONS

§ 993.501 Consumer package of prunes.

Consumer package of prunes means *consumer package* as defined in §993.22.

§ 993.502 Size count.

Size count means the count or number of prunes per pound.

§ 993.503 Size category.

Size category means each of the size categories listed in §993.515 and fixes the range or the limits of the various size counts.

§ 993.504 In-line inspection.

In-line inspection means inspection of prunes where samples are drawn from a flow of prunes prior to packaging.